UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/515,724	02/29/2000	Geoffrey H. Gill	03188-P0001A	1108

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EXAMINER

ART UNIT	PAPER NUMBER

DATE MAILED: 09/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Notification of Non-Compliance With 37 CFR 1.192(c)	09/515,724	GILL ET AL.
	Examiner	Art Unit	
	Debra F. Charles	3628	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on <u>12 April 2004</u> is defective for failure to comply with one or more provisions of 37 CFR 1.192(c). See MPEP § 1206.

To avoid dismissal of the appeal, applicant must file IN TRIPLICATE a complete new brief in compliance with 37 CFR 1.192(c) within the longest of any of the following three **TIME PERIODS**: (1) **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer; (2) **TWO MONTHS** from the date of the notice of appeal; or (3) within the period for reply to the action from which this appeal was taken. **EXTENSIONS OF THESE TIME PERIODS MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☐ The brief does not contain the items required under 37 CFR 1.192(c), or the items are not under the proper heading or in the proper order.

2. ☐ The brief does not contain a statement of the status of all claims, pending or cancelled, or does not identify the appealed claims (37 CFR 1.192(c)(3)).

3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 1.192(c)(4)).

4. ☐ The brief does not contain a concise explanation of the claimed invention, referring to the specification by page and line number and to the drawing, if any, by reference characters (37 CFR 1.192(c)(5)).

5. ☐ The brief does not contain a concise statement of the issues presented for review (37 CFR 1.192(c)(6)).

6. ☐ A single ground of rejection has been applied to two or more claims in this application, and

   (a) ☐ the brief omits the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet presents arguments in support thereof in the argument section of the brief.

   (b) ☐ the brief includes the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet does not present arguments in support thereof in the argument section of the brief.

7. ☐ The brief does not present an argument under a separate heading for each issue on appeal (37 CFR 1.192(c)(8)).

8. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 1.192(c)(9)).

9. ☒ Other (including any explanation in support of the above items):

   <u>The Issues section is in the wrong order. Please use the following order: Real party of Interest, Related appeals and interferences, status of claims, status of amendments after final, summary of invention, issues, grouping of claims, claims appealed, and prior art of record. Please use this order of the various sections and please do not add in another section that is not on this list.</u>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	Geoffrey H. Gill, *et al.*
Serial No. 09/515,724	Filing Date: February 29, 2000
Title of Application:	System For Anonymously Purchasing Goods And Services Over The Internet
Confirmation No. 1108	Art Unit: 3628
Examiner	Debora F. Charles

Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

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GROUP 3600

Supplemental Appeal Brief filed Under 37 C.F.R. §1.192

Having filed a Notice of Appeal on December 23, 2003, based on a final rejection, mailed on September 24, 2003, of currently pending claims 1-17, Appellant submits its Appeal Brief for the above-captioned application pursuant to 37 C.F.R. §1.192 in triplicate as follows.

Certificate of Mailing: I hereby certify that this correspondence is today being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop Appeal Brief – Patents; Commissioner for Patents; P.O. Box 1450; Alexandria, VA 22313-1450.

April 14, 2004

Susan K. Drammeh

Real Party in Interest

The real party in interest is Geoffrey Gill residing at 110 Willet Road, Saunder Town, RI 02874.

Related Appeals and Interferences

There are no related appeals or interferences.

Status Of Claims

Claims 1-17 are currently pending, stand finally rejected, and are the subject of the instant Appeal. A copy of each of these claims is attached hereto as Exhibit A.

Status Of Amendments

Appellant has filed no Amendments since the mailing of the Final Rejection on September 24, 2003.

Summary Of Invention

With respect to claims 1, 9 and 17, Appellant discloses systems and methods, which enables the generation of a money code 16 over the Internet that contains no identification data related to a user 12 and is therefore untraceable to a user 12 in a manner that is similar to when a transaction is completed through the use of some medium of exchange such as paper currency, precious stones, coinage and the like.

One such embodiment of the invention is found on page 6, lines 3-27 and continuing on page 7, lines 1-7, of the specification where an embodiment of the money code generation 16 and valuation 20 processes of the system 10 for anonymously purchasing goods and services over the Internet is shown. Software executing on the customer's computer 30 generates a money code 32. The money code 34 generally consists of a series of alpha-numeric characters or a computer-readable code, such as a bar code or magnetic imprint. Upon successful generation of the money code 32, the software stores the money code 34 in a storage device 38. The computer 30 then conveys the money code 34 to the customer 12 via an output device 40. It is important to note that the money code 34 contains no identification data related to the customer 12.

Upon receipt of the money code 34, the customer 12 may present the money code 34 along with a money amount 42 to an issuer 14. The issuer 14 may be any establishment linked into the communications system 28. The issuer 12 enters the money code 34 and presented money amount 42 into the issuer's computer 44 using an input device 46. Once entered into the issuer's computer 44, software executing on the computer 44 transmits the money code and associated money value 48 to the financial institution 18 over the communications system 28. Upon receipt by the financial institution 18, software executing on the financial institution's computer 50 stores the received information 52, preferably in a database containing a plurality of money codes and associated money values.

References Cited And Applied

U.S. Patent No. 6,327,578 B1 to Linehan; et al.

U.S. Patent No. 6,529,885 B1 to Johnson; and

U.S. Patent No. 5,913,203 A to Wong et al.

Grounds Of Rejection

Claims 1-17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Linehan, Johnson and Wong et al.

Issues Presented For Review

Whether Linehan, Johnson and Wong et al. teach or suggest the generation of a money code over the Internet, said money code containing no identification data related to a customer and being untraceable to said customer.

Grouping of Claims

The claims do not stand or fall together. The invention is claimed from several perspectives, each defining the invention in materially different terms.

Each of the dependent claims adds specific additional elements to the novel combination of the independent claims. As such, all claims must be considered because it is improper to fail to consider any limitation in the claims. In re Geerdes, 491 F.2d 1260, 1262, 180 U.S.P.Q. 789, the 791 (CCPA 1974) ("every limitation in the claim must be given effect rather than considering one in isolation from the others").

Argument

The present invention pertains to systems and methods, which enable the generation of a money code over the Internet, said money code containing no identification data related to a customer and being untraceable to said customer

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thereby facilitating anonymous transactions over the Internet. An anonymous transaction is defined as one in which the money code contains no identification data related to a user and is therefore untraceable to a user in a manner that is similar to when a transaction is completed through the use of some medium of exchange such as paper currency, precious stones, coinage and the like.

Realizing this type of transaction anonymously on the Internet is a problem because the seller has difficulty assessing the value of the money code and difficulties taking ownership of the specified amount of medium of exchange that the buyer and seller have agreed to without linking the money code with the person utilizing it.

Claims 1-17 have been rejected under 35 USC § 103(a) as being unpatentable over Linehan, Johnson and Wong et al. In Linehan, all the embodiments that would relate to the present invention utilize the issuer gateway process of FIG. 8. As a result, step 808 describes how the issuer gateway confirms that consumer's credit for transaction is sufficient for the transaction and therefore there is a direct link between the customer and the money coded. In contrast, the present invention is designed to remove this step because the money code will not have any consumer information attached to it in any way.

The Examiner acknowledges this fact numerous times in the final rejection by citing various section of Linehan such as Table 1 in col. 11, col. 13, lines 60-67 and col. 14, lines 1-15, claim 1, col. 4, lines 15-25, col. 6, lines 12-35 and lines 45-67. On page 6 of the final rejection, first full sentence, the Examiner explicitly concedes this point and Applicant agrees with such a conclusion. Consequently, the teachings of Linehan cannot provide a money code containing no identification data related to a customer as is claimed by the present invention.

The Examiner then cites Johnson (page 6 of the final rejection), col. 23, lines 5-50, to show how directory software can be used to allow complex transactions to be executed in an anonymous mode where the parties can only be identified by their ID. This is in direct contradiction to the teachings of the present invention because the money code in the present invention does not contain any customer information. The customer of the present invention may be aware of information about the money code such as a PIN number or its value, but the money code contains no information about the customer. Therefore, Johnson does not teach or suggest the money as is claimed by the present invention.

The Examiner then cites Wong at col. 6, lines 45-60 as teaching generating a totally anonymous money code over the Internet, which is incorrect because the embodiment in which the money code can be purchased over the Internet does not teach this. For example, FIGS. 1 and 2 (Cat I system discussed at col. 10, lines 49-61) show that the first entity can spend the money code over the Internet but it cannot be generated over the internet (as indicated by the data flow arrows on line 2). In other words, in FIGS. 1 and 2, the Internet is only used to deactivate the money code and therefore the category one systems are not relevant to the present invention because the present invention claims, "software executing on said issuer computer for receiving said money code and a money amount from a customer, assigning an associated money value to said money code based on said money amount received from the customer". Therefore the present invention can generate a money code for a customer over the Internet.

Wong does teach a way to purchase a money code over the Internet (Cat II discussed at col. 10, lines 49-61), however, the teachings of this embodiment cannot

provide the totally anonymous money codes of the present invention. This is explicitly stated at col. 10, lines 51-54, Wong teaches that, "category II (Cat II) cash refers to pseudo cash units created by the system that can only be traced through the bank of origin, or the nerve center. For instance, at col. 8, lines 34-40, Wong teaches:

In this system and method, the first entity 1 **must** first establish a business relationship with the pseudo cash repository 3. Once this relationship is established, a first entity account file 17 is maintained by the pseudo cash repository 3 which includes the **identity** 18, the user key 8 and the user insertion key 9 of the first entity 1.

Therefore Wong never teaches the generation of a money code over the Internet, said money code containing no identification data related to a customer and being untraceable to said customer as is claimed by the present invention.
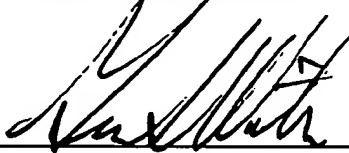
Consequently, the combination of Linehan, Johnson and Wong do not teach or suggest the generation of a money code over the Internet, said money code containing no identification data related to a customer and being untraceable to said customer as is claimed by the present invention. As such, the present invention is patentably distinct from the references of record.

Conclusion

Appellant has made a significant advance over the prior art by providing systems and methods for the generation of a money code over the Internet, said money code containing no identification data related to a customer and being untraceable to said customer as is claimed by the present invention.

Respectfully submitted,

April 13, 2004

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EXHIBIT A - Pending Claims

1.   A system for anonymously purchasing goods and services over the Internet comprising:

        a communications system;

        a customer computer linked to said communications system;

        an issuer computer linked to said communications system;

        a merchant computer linked to said communications system;

        a financial institution computer linked to said communications system;

        a money code, said money code containing no identification data related to a customer and being untraceable to said customer;

        software executing on said issuer computer for receiving said money code and a money amount from a customer, assigning an associated money value to said money code based on said money amount received from the customer, and transmitting said money code and associated money value to said financial institution computer over said communications system;

        software executing on said financial institution computer for receiving said money code and associated money value transmitted by said issuer computer and storing said money code and associated money value;

        software executing on said customer computer for transmitting an order and said money code to said merchant computer over said communications system;

        software executing on said merchant computer for receiving said order and money code from said customer computer, determining a money amount due for said order, and transferring said money code and money amount due to said financial institution computer over said communications system, and,

        software executing on said financial institution computer for receiving said money code and money amount due from said merchant

computer, comparing said money amount due to said associated money value, and notifying said merchant computer of fund availability.

2. The system of Claim 1 further comprising software executing on said customer computer for generating said money code and storing said money code on a storage device.

3. The system of Claim 2 further comprising software executing on said customer computer for generating a personal identification code to be associated with said money code for controlling access and use of said money code

4. The system of Claim 3 further comprising software executing on said customer computer for encrypting said money code based on said personal identification code prior to storing said money code on said storage device.

5. The system of Claim 4 further comprising software executing on said customer computer for requesting said personal identification code from the customer, retrieving said money code from said storage device, and decrypting said money code based on said personal identification code prior to transmitting said money code to said merchant computer.

6. The system of Claim 4 further comprising:

software executing on said merchant computer for requesting said personal identification code from the customer upon receipt of said order and money code;

software executing on said customer computer for requesting said personal identification code from the customer and transmitting said personal identification code to said merchant computer;

software executing on said merchant computer for receiving said personal identification code from the customer and transmitting said personal identification code in addition to the money code and money amount due to said financial institution computer over said communications system; and,

software executing on said financial institution computer for receiving said money code, money amount due, and personal identification code and decrypting said money code using said personal identification code prior to determining fund availability.

7.   The system of Claim 1 wherein said communications system comprises the Internet.

8.   The system of Claim 7 further comprising software executing on said merchant computer for operating and maintaining an Internet website, accessible by the customer, for facilitating commercial transactions between the customer and a merchant.

9.   A system for anonymously purchasing goods and services over the Internet comprising:

a communications system;

a customer computer linked to said communications system;

an issuer computer linked to said communications system;

a merchant computer linked to said communications system;

a financial institution computer linked to said communications system;

a money code, said money code containing no identification data related to a customer and being untraceable to said customer;

software executing on said issuer computer for receiving a money amount from a customer, generating said money code, assigning an associated money value to said money code based on said money amount received from the customer, presenting said money code to the customer, and transferring said money code and associated money value to said financial institution computer over said communications system;

software executing on said financial institution computer for receiving said money code and associated money value transmitted by said issuer computer and storing said money code and associated money;

software executing on said customer computer for transmitting an order and said money code to said merchant computer over said communications system;

software executing on said merchant computer for receiving said order and money code from said customer computer, determining a money amount due for said order, transferring said money code and money amount due to said financial institution computer over said communications system, and,

software executing on said financial institution computer for receiving said money code and money amount due from said merchant

computer, comparing said money amount due to said associated money value, and notifying said merchant computer of fund availability.

10.   The system of Claim 9 further comprising software executing on said customer computer for receiving said money code and storing said money code on a storage device.

11.   The system of Claim 10 further comprising software executing on said customer computer for generating a personal identification code to be associated with said money code for controlling access and use of said money code.

12.   The system of Claim 11 further comprising software executing on said customer computer for encrypting said money code based on said personal identification code prior to storing said money code on said storage device.

13.   The system of Claim 12 further comprising software executing on said customer computer for requesting said personal identification code from the customer, retrieving said money code from said storage device, and decrypting said money code based on said personal identification code prior to transmitting said money code to said merchant computer.

14.   The system of Claim 12 further comprising:

software executing on said merchant computer for requesting said personal identification code from the customer upon receipt of said order and money code;

software executing on said customer computer for requesting said personal identification code from the customer and transmitting said personal identification code to said merchant computer;

software executing on said merchant computer for receiving said personal identification code from the customer and transmitting said personal identification code, in addition to said money code and money amount due to said financial institution computer over said communications system; and,

software executing on said financial institution computer for receiving said money code, money amount due, and personal identification code and decrypting the money code using said personal identification code prior to determining fund availability.

15.   The system of Claim 9 wherein said communications system comprises the Internet.

16.   The system of Claim 15 further comprising software executing on said merchant computer for operating and maintaining an Internet website, accessible by the customer, for facilitating commercial transactions between the customer and a merchant.

17.   A method for anonymously purchasing goods and services over the Internet comprising:

assigning an associated money value to a money code corresponding to a money amount surrendered to an issuer by a customer, said money code containing no identification data related to a customer and being untraceable to said customer;

inputting said money code and associated money value into said issuer computer;

transmitting said money code and associated money value from said issuer computer to a financial institution computer over a communications system;

storing said money code and associated money value on said financial institution computer;

transmitting an order and said money code from a customer computer to said merchant computer over said communications system,

transmitting said money code and a money amount due from said merchant computer to said financial institution computer over said communications system; and

verifying fund availability by comparing said money amount due to said associated money value on said financial institution computer.